

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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: 03 MDL 1529 (LMM)  
IN RE ADELPHIA COMMUNICATIONS :  
CORPORATION SECURITIES AND :  
DERIVATIVE LITIGATION : MEMORANDUM AND ORDER  
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McKENNA, D.J.,


The Court has received correspondence concerning the Supreme Court's decision in Stoneridge Investment Partners, LLC v. Scientific-Atlanta, Inc., 128 S. Ct. 761 (January 15, 2008), in which the Court declined to extend the implied private right of action under Section 10(b) of the Securities Exchange Act of 1934 and SEC Rule 10b-5 to a claim for aiding and abetting the violation of Section 10(b) and Rule 10b-5 on the part of defendants whose deceptive acts were not communicated to the public and upon whose deceptive acts investors did not rely.

Any defendant who is subject to an outstanding claim covered by Stoneridge should ask the relevant plaintiff to dismiss it voluntarily; if the plaintiff declines, the defendant may move for dismissal under Stoneridge, on such reasonable schedule as counsel may agree on, any such motion, however, to be filed not

later than May 20, 2008. If there are to be multiple motions, the schedules should be coordinated.<sup>1</sup>

SO ORDERED.

Dated: March *29*, 2008

  
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Lawrence M. McKenna  
U.S.D.J.

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<sup>1</sup> A copy of this Memorandum and Order is being sent to Mr. Wycoff of Thorp Reed & Armstrong who is to send copies to all counsel on his Service List.